S.B. Civil Writ Petition No.2750/06
Mahesh Kumar Yadav Vs. Labour Court & Ors.

Date of Order : 23/05/2006

Hon'ble Mr. Justice Ajay Rastogi

Mr. Vijay Dutt, for petitioner

Instant petition has been filed against the award passed by the Labour Court I, Jaipur dt.11th October, 2004.

The facts as alleged in the petition and which have come in the impugned award are that the petitioner had worked as Conductor from 23rd July, 1987 to 26th August, 1987 on daily wages basis. Against the alleged termination, he filed writ petition before this court in 1994 and when the matter came up for consideration counsel made a request that in view of alternative remedy available, he may be permitted to avail the same and on the request made, the writ petition preferred by him was dismissed on 8th September, 1997. Thereafter, reference was made by the appropriate government for adjudication and the learned Labour Court after taking into consideration material, recorded a finding that petitioner has submitted application raising dispute by filing before the conciliation officer after 10 years and no satisfactory explanation come forward and apart from it, the petitioner had worked only for the period of one month. The finding recorded by the learned Labour Court is duly supported by material on record and I find no perversity in the same.

Consequently, the writ petition stands dismissed.

[Ajay Rastogi],J.

FRB